

The 24th October, 1985

No. 9/5/84-6Lab/8648.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Ambala in respect of the dispute between the workman and the management of M/s. Lamba Enterprises, Buria Gate, Jagadhri (Ambala) :—

IN THE COURT OF SHRI V. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT,
AMBALA

Reference No. 68 of 1985

SHRI SAHID, WORKMAN AND THE MANAGEMENT OF MESSRS LAMBA ENTERPRISES,
BURIA GATE, JAGADHRI (AMBALA)

Present :—

None for workman.

Shri S. Bindra for respondent.

AWARD

The Hon'ble Governor of Haryana in exercise of powers conferred by clause (c) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947 referred the dispute between Shri Sahid, workman, and the management of M/s. Lamba Enterprises, Jagadhri. The terms of the reference are as under :—

“Whether the termination of service of Shri Sahid, workman, was justified and in order ?
If not, to what relief is he entitled to ?”

Workman Sahid Hassan through his demand notice alleged that he served the respondent management for one year. His services were terminated on 26 August, 1984 in violation of provisions of section 25 (f) of the Industrial Disputes Act, 1947. He has prayed for relief of re-instatement with continuity in service as well as the full back wages.

Notice was issued to respondent on which management appeared. Parties took two or three dates for compromised. Ultimately Shri Surinder Sharma authorised representative of workman absented and the reference is dismissed in default. The matter in question stands disposed of accordingly.

Dated, the 20th September, 1985.

V. P. CHAUDHARY,
Presiding Officer,
Labour Court, Ambala.

Endst. No 2312, dated Ambala City the 30th September, 1985.

Forwarded (four copies) to the Financial Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

V. P. CHAUDHARY,
Presiding Officer,
Labour Court, Ambala.

No. 9/5/84-6Lab/8711.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Ambala, in respect of the dispute between the workman and the management of M/s Bremco Engineers, Industrial Area, Yamuna Nagar (Ambala).

IN THE COURT OF SHRI V. P. CHAUDHARY, PRESIDING OFFICER,
LABOUR COURT, AMBALA

Ref. No. 7 of 1985

SHRI SAHDEV, WORKMAN AND THE MANAGEMENT OF MESSRS BREMCO
ENGINEERS, INDUSTRIAL AREA, YAMUNA NAGAR (AMBALA).

Present—

Shri Balbir Singh for workman.

Shri J. B. Singh for respondent.

AWARD

The Hon'ble Governor of Haryana, in exercise of powers conferred by clause (c) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947 referred the dispute between Shri Sahdev, workman and the management of Messrs Bremco Engineers, Industrial Area, Yamuna Nagar. The terms of the reference are as under :—

“Whether the termination of services of Shri Sahdev, workman, was justified and in order? If not to what relief is he entitled to?”

Workman Sahdev has challenged the respondent-management that he served the respondent for about eight years and there after on 13th September, 1984 his services were terminated in violation of mandatory provision of section 25 (F) of the Industrial disputes Act, 1947. He has prayed for re-instatement with continuity in service with full back wages.

Respondant-management appeared and contested the case. Thereafter parties reached at amicable settlement. Respondant agreed to make payment of Rs. 3750 to the workman in the presence of this court. This payment shall meet out all the reliefs claimed by the workman. Relief of reinstatement with continuity of service etc. have been waived of. In view of this compromise, I pass my award regarding the dispute accordingly.

V. P. CHAUDHARY,
Presiding Officer,
Labour Court, Ambala.

Dated, the 2nd September, 1985.

Endorsement No. 2089, dated Ambala City, the 12th September, 1985.

Forwarded (four copies) to the Financial Commissioner and Secretary to Government, Haryana, Labour and Employment Department, Chandigarh as required under section 15 of the I. D. Act, 1947

V. P. CHAUDHARY,
Presiding Officer,
Labour Court, Ambala.

No. 9/5/84-6Lab/8712.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Ambala, in respect of the dispute between the workman and the management of M/s Jai Forgings and Stampings Pvt. Ltd. Industrial Area, Yamuna Nagar (Ambala) :—

IN THE COURT OF SHRI V. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT,
AMBALA

Reference No. 112 of 1985

SHRI RAJPAL, WORKMAN AND THE MANAGEMENT OF MESSRS JAI FORGINGS
AND STAMPINGS PVT. LTD., INDUSTRIAL AREA, YAMUNA NAGAR (AMBALA)

Present :—

Shri Ashwani Kumar Sharma for workman.
Shri P. K. Goel for Respondant.

AWARD

The Hon'ble Governor of Haryana in exercise of powers conferred by clause (c) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947, referred the dispute between Shri Rajpal, Workman and the management of Messrs Jai Forgings and Stampings Pvt. Ltd., Industrial Area, Yamuna Nagar (Ambala). The terms of the reference are as under: —

“Whether the termination of services of Shri Raj Pal, workman was justified and in order? If not, to what relief is he entitled to?”

Workman Rajpal alleged that he served the respondent from 30th August, 1981 to 12th December, 1984. His services were terminated,—vide order dated 12th December, 1984 in violation of section 25 (f) of the Industrial Disputes Act, 1947. He has prayed for re-instatement with continuity in service with full back wages.

Respondent-management appeared and compromised the dispute and submitted compromised Deed Ex-C-I,—vide which it was agreed upon between the parties that Shri Raj Pal, workman shall be paid Rs. 1731.80 in full and final settlement of his all claims upto date. All the matter pending before the Labour Officer/Labour Court shall be treated as amicably settled and withdrawn. It was also agreed that workman has relinquished his right of re-instatement and re-employment and the parties shall despatch copies of settlement to the authorities.

In view of the above compromise Ex-C-I, I pass award regarding the dispute in hand accordingly.

Dated, the 5th September, 1985.

V. P. CHAUDHARY,

Presiding Officer,
Labour Court, Ambala.

Endst. No. 2091, dated, Ambala City, the 12th September, 1985.

Forwarded (four copies) to the Financial Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

V. P. CHAUDHARY,

Presiding Officer,
Labour Court, Ambala.

No. 9/5/84-6Lab./8713.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Ambala, in respect of the dispute between the workman and the management of The Director, Public Health Services, Haryana, Chandigarh :—

IN THE COURT OF SHRI V. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT,
AMBALA

Old Reference No. 410 of 1983

(Reference No. 213 of 1984)

between

SHRI BARU RAM, WORKMAN AND THE MANAGEMENT OF THE DIRECTOR, PUBLIC
HEALTH SERVICES, HARYANA, CHANDIGARH

Present :—

Shri Madhu Sudan Saran Chowshish for workman.

None for respondent.

AWARD

The Hon'ble Governor of Haryana in exercise of powers conferred by clause (c) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947 referred the dispute between Shri Baru Ram, workman and the management of the Director, Public Health Services, Haryana, Chandigarh to the Labour Court, Faridabad. The terms of the reference are as under :—

“Whether the termination of services of Shri Baru Ram, workman, was justified and in order ?
If not, to what relief is he entitled to ?”

On constitution of Labour Court at Ambala the reference was received by transfer.

Shri Baru Ram workman has challenged the respondent-management alleging that he was working as a Permanent Health worker. His services were terminated on 25th January, 1983 in contravention of section 25 (f) of the Industrial Disputes Act, 1947. He has prayed for relief of reinstatement with continuity in service with full back wages.

Respondent-management has served but in spite of service. It did not appear and proceeded *ex parte*. Workman in support of his case examined himself as AW-1. He deposed that he joined the service of respondent in 1974 and on 25th February, 1983 he was terminated without any notice or without making any payment of wages towards a notice period and retrenchment compensation.

I have gone through the *ex parte* evidence and think that the termination of workman Shri Baru Ram, workman is violative to section 25 (f) of the Industrial Disputes Act, 1947. More over respondent management did not brother to contest this dispute, in spite of service. So I pass an *ex parte* award accordingly with relief to workman Shri Baru Ram of re-instatement with continuity in service with full back wages.

Dated 2nd September, 1985.

V. P. CHAUDHARY,
Presiding Officer,
Labour Court, Ambala.

Endst. No. 2092, dated Ambala City 12th September, 1985.

Forwarded (four copies) to the Financial Commissioner and Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under Section 15 of the Industrial Disputes Act, 1947.

V. P. CHAUDHARY,
Presiding Officer,
Labour Court, Ambala.

No. 9/5/84-6Lab./8714.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Ambala in respect of the dispute between the workman and the management of M/s. Thaska Meeranji Co-operative Society Ltd., Thaska Meeranji district Kurukshetra.

IN THE COURT OF SHRI V.P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT,
AMBALA

Reference No. 220 of 1984

(Old No. 354 of 1983)

between

SHRI PIARA SINGH, WORKMAN AND THE MANAGEMENT OF MESSRS THASKA MEERANJI COOPERATIVE SOCIETY LTD., THASKA MEERANJI DISTRICT KURUKSHETRA
Present :—

Shri U. Kant for workman.

None for respondent.

AWARD

The Hon'ble Governor of Haryana in the exercise of the powers conferred by clause (c) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947 referred the dispute between Shri Piara Singh workman and the management of Messrs Thaska Meeranji Co-operative Society Ltd., Thasks Meeranji, Kurukshetra to the Labour Court Faridabad. The terms of the reference are as under :—

“Whether the termination of services of Shri Piara Singh workman was justified and in order? If not, to what relief is he entitled to?”

On constitution of Labour Court at Ambala the reference was received by transfer.

Workman Piara Singh has challenged the respondent that he served the respondent management as Salesman since 1st February, 1976 to 12th December, 1981. His services were terminated in contravention of section 25 (f) of the Industrial Disputes Act, 1947. He has prayed for the relief of re-instatement with continuity in service and with full back wages.

The respondent management was served, inspite of service it did not appear and was proceeded *ex-parte*. In *ex-parte* evidence workman Piara Singh appeared in the witness box and he supported his case. *Ex-parte* evidence was closed.

Since the matter regarding jurisdiction of this court is subjudiced in many cases with the Hon'ble High Court, So I do not deem it proper to disposed of the matter in hand and adjourned it sine die. The case shall be taken up as and when the jurisdiction point is decided by the Hon'ble High Court.

Dated the 3rd September, 1985.

V. P. CHAUDHARY,
Presiding Officer,
Labour Court, Ambala.

Endorsement No. 2094, dated 12th September, 1985.

Forwarded (four copies), to the Financial Commissioner & Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

V. P. CHAUDHARY,
Presiding Officer,
Labour Court, Ambala.